



RECEIVED

MAR 26 2001

TO 3600 MAIL ROOM

Atty. Dkt. No. 1423-9
Ser. No. 09/428,508

RECEIVED

MAR 21 2001

TECHNOLOGY CENTER 3700

REMARKS

Attached hereto is a verified translation of German document DE 85 13 539 by Manfred Block. Basically, Block shows a flower pot where side walls are removed from a number of tires in order to form basins that can be filled with dirt for plants to grow in. The tires are then stacked so that the dirt in the tires form a flower bed. When stacked, the tires form a vertical wall. Otherwise, the tires are arranged in a mound. The arrangement also provides a noise barrier.

A mound or vertical wall is inherently less strong than a slanting wall which is used to form a retaining wall for holding back an embankment, as at the side of a road, for example.

Applicants' primary concern is to build a wall which will not collapse or wash away. Of great interest, the retaining wall slopes with the embankment for added strength. Hence, the applicants' invention is in the nature of a civil engineering project designed to retain an embankment or the like.

In the specification and claim 2, the incline is described as a "batter angle" of (10°C to 20°C) which makes the angle look like a temperature reading. However, when one says the "batter angle", it is apparent that the insertion of "C" was in the nature of a typographical error. Moreover page 10, lines 17-20, omits the "C" and clearly states that the batter angle is 10° to 20°. Hence, it is